

Amendment Number 3 to Restrictive Covenants

**RUNNING INDIAN ESTATES**

Otero County, New Mexico

WHEREAS, this document provides for an Amendment to Restrictive Covenants for Running Indian Estates as filed for record at Book 1027, Pages 252 through 260, dated June 20, 2002, and subsequently modified by Amendment Number 1, dated November 6, 2003 and filed for record at Book 1107, Page 197, dated November 12, 2003 and further modified by Amendment Number 2, dated July 21, 2005 and filed for record at Book 1196, Pages 979 and 980, dated July 21, 2005, of the records of the Otero County Clerk.

This Amendment Number 3 shall place into effect the following:

**Regarding Part II, Section B**, this Amendment shall provide for a change in the type of dwelling units allowed, more specifically to additionally allow for modular or manufactured housing. Paragraph 1 shall be changed to read:

*"Dwellings may be site built, modular or manufactured housing. All constructed housing units shall conform otherwise to all requirements relating to such single family residential construction in new subdivisions as may be required by acts, statute, rule, regulation or ordinance of Federal, State or Local authorities and agencies and shall, as constructed, conform generally to the requirements of conventional or Federal, State or Local mortgage financing programs."*

This Amendment Number 3 shall be effective as of the execution date noted below. Any dwellings in existence prior to this effective date shall be given a grandfathered status and shall be allowed to exist, if compliant with the Covenants prior to this Amendment Number 3, until such dwellings are modified or rebuilt. Any such grandfathered dwelling shall be required to comply with Covenants in existence at the time of modification or rebuilding.

All other Covenants as originally filed on June 20, 2002, or as subsequently amended on November 6, 2003 and on July 21, 2005, are intended to remain in effect and are unchanged by this Amendment Number 3.

This Amendment Number 3 is being filed as provided by Part IV. GENERAL PROVISIONS, paragraph 5, of the original Restrictive Covenants filed June 20, 2002. In keeping with Part IV, Paragraph 5, this Amendment Number 3 is being signed by a majority of the owners. The party signing below testifies that Bowlin Travel Centers, Inc. is, as of this date, 91.43% owner of the 35 lots making up the total residential lots of Running Indian Estates.

IN WITNESS THEREOF, the said owner has caused this instrument to be executed this 9<sup>th</sup>  
day of SEPTEMBER, 2013.

Signed: [Signature]

Authority: Director of Operations, Bowlin Travel Centers, Inc.

Subscribed and sworn before me on the 9<sup>th</sup> day of September, 2013.

Myles K. Erwin Notary Public.



OFFICIAL SEAL  
MYLES K. ERWIN  
NOTARY PUBLIC - STATE OF NEW MEXICO

My commission expires: 9/27/2013

My commission expires: 9/27/2013

